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STATE OF WASHINGTON.

SECOND INAUGURAL MESSAGE

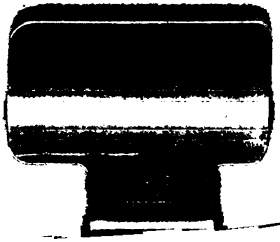
—OF—

GOV. JOHN R. ROGERS

—TO THE—

LEGISLATURE OF 1901.

OLYMPIA, WASH.:
GWIN HICKS, - - STATE PRINTER.
1901.



STATE OF WASHINGTON (State)
Governor

SECOND INAUGURAL

MESSAGE

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SECOND INAUGURAL MESSAGE OF GOVERNOR JOHN R. ROGERS.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 16, 1901.

Gentlemen of the Senate and of the House of Representatives :

Called a second time to the high and honorable position of Governor, I should be ungrateful indeed did I not express my gratitude to the people of the State of Washington for honors conferred. In return it is my highest ambition to be able to serve them worthily and to retire at the close of my term with their good opinion still retained.

Perhaps I may be permitted, at this time, to say that during the four years that are past, I have steadily kept in view the general public welfare. Doubtless particular persons and localities at times may have thought that their peculiar interests were not favored as they should have been, and yet I am conscious of no dereliction of duty. In a government of the majority, peculiar and special interests must always be subordinated to the general welfare. That the general and public good has been subserved, the passage of events has shown. No state in the American Union occupies to-day a higher or prouder position, at home or abroad. The laws are executed with promptness and dispatch. No riot or occurrence of public disorder has stained our records. Order prevails and will prevail. Should disorder at any time appear the state is prepared to repress it at once. A foreign war found Washington one

of the first among the states to respond to the call of the President of the United States for military aid. Since my last communication to the Legislature our volunteers have returned home to meet the welcoming plaudits of a grateful people. They were met at Seattle by the Commanding General of the armies of the United States, who, in company with myself, boarded their ship as she sailed into the harbor. Afterwards, at the old university grounds, they were received by General Miles and others, the General paying them the high honor of an address of welcome, in which he publicly thanked them for services well rendered. Our public credit is established. No state enjoys a better reputation in this regard. The state debt has been reduced and put in a way of complete extinction, if the present economical management is continued. A plain statement of facts, furnished from the records of the State Auditor's office, will serve to emphasize this.

STATE DEBT.

Four years ago the total state debt was $2,176,347.64. This in spite of the fact that our State Constitution, in the most explicit terms, forbids any indebtedness in excess of $400,000. Of this total debt, $1,777,918.03 was in the form of general fund warrants. These, with the Military fund warrants, amounting to $98,429.61, called for eight per cent. interest, or a total of $150,000. in interest per annum, approximately. Warrants were two and a half years in arrears, so that on each dollar used by the state in the conduct of its business, twenty per cent. in interest was paid. The business man possessed of assets equal in value to those of the State of Washington, who should conduct his business in such a manner, would certainly be benefited by the appointment of a guardian.

During the past eight years there has been paid, as interest, on state indebtedness, mostly to brokers and dealers in warrants, the enormous sum of $918,712.36. Almost a million of dollars of the taxpayers' hard earned money has thus been taken for a purpose which admits of no return. Horace Greeley said, many years ago, that the only difference between successful and unsuccessful men, in the ordinary business of life, was, simply, that one class paid interest on money and the other received it. Under a properly organized system the state should pay no interest. It should be put, by its legislators, in the successful class. It should do business for cash. To compel its taxpayers to contribute enormous sums for the support of curb-stone brokers is a flagrant misuse of the powers of government.

During the past four years, whatever it has been possible to do in decreasing the burdens of government has been attempted, with gratifying results. The total outstanding indebtedness has been reduced from $2,176,347.64, in 1897, to $1,392,659.66, on January first 1901, and of this latter amount $730,000 in the permanent school fund, have, under the law of 1899, been used by the state in the payment of general fund warrants and the issuance of three and one half per cent. state bonds, which, in lieu of cash expended for this purpose, are placed in the permanent school fund. On general fund warrants thus redeemed, bearing interest at eight per cent., there has been a direct and positive saving of four and one-half per cent.; and as the three and one-half per cent. accruing upon these bonds is added to the permanent school fund there has been a practical saving of all interest charges upon nearly three-quarters of a million dollars. Interest charges have been still further reduced by a reduction of the rate paid, from eight

to five per cent. Instead of more than two millions of dollars of indebtedness, the greater part bearing interest at eight per cent., as was the case four years ago, the following exhibit will show the condition of state debt on January 1, 1901:

General Fund Warrants, bearing 5 per cent. interest, less cash on hand	$516,392.02
State Bonds, bearing 3½ per cent. interest	155,000.00
School Bonds, bearing 3½ per cent. (Interest covered into Treasury)	730,000 00
	$1,401,392.02
Less Cash in Interest Fund	8,732.36
Total Debt	$1,392,659.66

An examination of the above exhibit will show that unproductive interest charges have been reduced from $150,000 per annum, as stated by Gov. McGraw in his message of 1897, to about $30,000 per annum at the present time.

MANAGEMENT OF PUBLIC FUNDS.

Among the causes leading to an improved condition of the state's finances must be named the enactment of the Revenue Law of 1897. This has been found most efficient. The issuance of delinquent tax certificates, bearing fifteen per cent. interest, operates to induce prompt payment of taxes, and while the penalty for non-payment may appear somewhat harsh, it may be stated as a settled fact that men will not pay taxes so long as it is profitable not to pay. He who obeys the law suffers no harm, and as there can be no effective law without penalty, so a sufficient penalty is necessary for the creation of an effective law. In my opinion, a good law should not be tampered with.

The Bedford law of 1899, calling for the investment of moneys in the permanent school fund in outstanding general fund warrants, is also to be credited with saving to the state large sums of interest. To secure the execution

of this law I was obliged to institute a suit in the Supreme Court. Judge James Wickersham, of Tacoma, appearing in my behalf in the case of the *State of Washington, ex rel. Patrick H. Winston, Attorney General vs. John R. Rogers, Governor, et al.* This was an application to restrain the defendants from issuing a state bond for sale to the permanent school fund. As Judge Wickersham made no charge for legal services I consider it simply a matter of justice that he here receive honorable mention as having rendered the state a valuable service. The case will be found in Volume 21, Washington Reports.

These facts are well known to investors and to those prominent in commercial matters. The large taxpayer carefully and rigidly scrutinizes the manner in which his contribution to the public expenses is handled. Partisan politics is to him a matter of immaterial consequence compared to the business-like conduct of state affairs. He is ever ready to endorse, without regard to the political party with which he is nominally affiliated, the statement of Thomas Jefferson, that "the art of government is simply the art of being honest." And these things, having to do with the public purse, are of immense and far-reaching importance in a young and growing commonwealth where every effort is wisely and properly made to attract and bring among us, as permanent residents, the wiser and better classes of immigrants. Our growing young state, advancing by leaps and bounds, in population, wealth and commercial importance, must do nothing that can in any manner shake the confidence in our governmental and financial stability of those who, caring little for partisan politics, are intensely interested in the wise and prudent management of the public funds and the successful and honorable conduct of public affairs.

THE BLIGHT OF PARTISANSHIP.

It has been said, and repeated in various quarters, that in order to secure for the political party represented by the majority in these chambers, certain appointments, placed by the Constitution, by express provision, and by implication, in the hands of the Governor, the Legislature will endeavor to make appointments by statute. That, forgetting the precedents of the past, and the plain provisions of our form of government, divided as it is into three independent branches, it will endeavor to over-ride and nullify a co-ordinate department of government. But although this has been broached in quarters considered by many as prominent, I do not, for an instant, credit the announcement. But the other day, in the state of Kentucky, the American people were treated to a rare spectacle of republican degeneracy, which the men of Washington are too wise to imitate. The governor of that state, in command of the militia, chased the members of the state legislature, in tumultuous disorder, about the streets of Frankfort, that he might prevent a meeting. A Republican governor, of manifest imperialistic tendencies, was attempting, for the time at least, to destroy the time-honored American form of government and nullify and render useless a co-ordinate department of state authority. The American people are yet in love with our peculiar form of government, sanctioned as it is by a century and a quarter of glorious record. They do not favor its partial nullification by insidious methods, and in succeeding elections always make amends for the mistakes of over-anxious politicians. The voters are never long in doubt and, spite of the outcries of miscreants who may control the partisan press, well know how, to make attempting nullifiers very unnecessary.

The veriest tyro in politics is aware that our distinctive

American form of government, in both state and nation, is composed of three co-ordinate and independent departments. He is also aware that the appointing power is an executive and not a legislative function. Each department is supreme within certain constitutional limits. Under constitutional provisions similar to ours it has become fixed as a settled principle that no one of these departments can override or destroy the power or functions of another. To establish this a long line of authorities might be quoted. I desire, however, at this time, simply to call attention to a plain fact instantly apparent to careful observers wherever found.

PUBLIC EDUCATION.

Upon one subject Americans are agreed. Public education is universally believed in and supported. How best to secure the purposes of education may possibly cause a division of opinion and yet even here differences should not be great. Our state constitution provides as follows:

ARTICLE IX. SECTION 1. "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex."

SECTION 2. "The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the state tax for common schools, shall be exclusively applied to the support of the common schools."

It is here clearly and plainly set forth that it is the paramount duty of the state to give every child resident within its borders an opportunity to obtain that education which is absolutely necessary to enable him to live a useful and honored life. The claims of what is called higher education will be ably and elaborately set forth by enthusiastic and in-

terested parties, and to these you will be forced to listen. The State of Washington has now five institutions of learning dependent upon state appropriations for support. The University of Washington, at Seattle; the Washington Agricultural College and School of Science, at Pullman; and three State Normal Schools. All these are in a most flourishing condition. Their wants are large and their expectations great. If the founders of our state had, in the beginning, established in some central place one State University, with Normal and Agricultural Departments, there could have been gathered together in one all these several institutions with great advantage to all and large saving to the taxpayer. Had this been done it would have then cost less money to transport all pupils to and from their homes, and furnish them with free board and lodging during their collegiate terms, than, under the present plan, to continue the multiplication of costly edifices and the duplication of expensive faculties.

Professor Ely, in one of his works on Political Economy, instances the State of Ohio as showing the folly of divided effort. "The State of Ohio," says he, "has thirty-five different colleges, no one of which is of great importance or is scarcely known outside its borders. If all the energy, money and enthusiasm necessary to keep the breath of life in these separate institutions had been devoted to one, the state would have possessed a college of which, not only the State of Ohio, but the whole country, would have been proud." In Washington, as well as in Ohio, effort has been divided, and the policy of still further division appears to be in favor. My predecessor in office, as well as myself, endeavored to stem the tide by veto, but without avail. We now have three state normal schools; one at Cheney, for the eastern portion of the state; one at Ellensburg, for the

central, and one at New Whatcom, for the Northwest. Another, for the Southwest will undoubtedly be called for in the near future. These institutions are now permanent fixtures, and must be provided for. The school at New Whatcom has been particularly successful in attracting a large clientage, and, because of the large numbers in attendance, has already exhausted its appropriation, and you will be asked, at an early day, to come to its relief. The building as originally planned, was not completed, and should now be finished by the addition of an auditorium, or assembly hall, without which it is practically impossible to properly conduct the school. For the particular claims of these different institutions, I refer you to the statements made by the several Boards of Regents and Trustees having charge. But, whatever is done for the support of higher education—and it must not be neglected — the common schools should receive your earnest and careful attention, for here nine-tenths of our boys and girls are to receive all the schooling they will ever know. To neglect the common schools would be to neglect your paramount duty as conservators of the public weal.

Under the law, as it now stands, a state tax not exceeding four mills upon the dollar is levied, sufficient to produce eight dollars for each child of school age in the state. This is the state tax for the support of common schools. Before the claims of higher education are so much as discussed the law should be amended by substituting six mills for four mills, and ten dollars for eight dollars. I hope this legislature will not adjourn without increasing the efficiency and the usefulness of the common schools.

A system of traveling libraries has been adopted in some of the eastern states that has proven of great and lasting value. I should be glad to see it adopted here. A com-

paratively small amount — say $300 for each county — will supply a small circulating library, say fifteen volumes, in a strong wooden case, for each school in the county; these volumes to be in charge of the County Superintendent and circulated from one school to another throughout the county. Each scholar would thus have the benefit of quite a large library. A taste for good reading would thus almost inevitably be acquired and vast and almost incalculable good be done and the character of the future men and women of this state be elevated to a higher plane.

PUBLIC INSTITUTIONS.

The state eleemosynary, reformatory and penal institutions, with the exception of the School for Defective Youth, at Vancouver, were placed by law, enacted in 1897, under the control of a State Board of Audit and Control, thus replacing five separate Boards of Trustees, in the management of these institutions. Many improvements have been made and large savings effected as a result. This is in line with advanced thought in other states. Wisconsin was the first, I believe, to adopt the plan. Other states have followed. At the present time the State of Iowa has, I am convinced, the best law of this character, to which the attention of legislators is called. The law creating our State Board of Audit and Control should be so amended as to include the School for Defective Youth at Vancouver. As at present constituted, the Board of Control consists of the Governor and five appointees, all of whom, with one exception, serve without pay, other than traveling expenses. As it is almost impossible to secure that close and careful attention to details which is essential from gentlemen who receive no pay for services rendered, even though these are men of the highest character and attainments, I recommend that the Iowa law be followed and our board of

six be reduced to three, appointed by the Governor, each to receive a salary of $2,000 per annum. In Iowa the salary is $3,000 per annum. This board, thus constituted, should be a non-partisan board, not more than two of whom should belong to the same political party. The Governor should not be a member. He has troubles of his own and duties sufficient to otherwise occupy his time. It should also be provided, as in the Iowa law, that appointments made in the several institutions should not be political appointments. The board should appoint the Superintendent of each institution and the Superintendent of each institution should have sole power to appoint those under him and power to summarily discharge for cause. A non-partisan board of this character, composed of careful business men, giving their entire time and attention to these matters, will be able to still further improve the service and reduce the cost to the taxpayers. These institutions compel the expenditure of large sums of money which should be curtailed, if possible. Our penitentiary, as an instance, is a very expensive institution. Strong, lusty convicts, burglars and house-breakers, should be made to earn at least the money it costs to keep them. Now it costs more than $1,000 a week to board them. In some states convicts are made a source of profit. And this is done in the well-ordered Vermont State Prison, where convicts are given greater privileges than ours enjoy. The last report of the Wisconsin State Board of Control showed that it was able to turn back into the State treasury $75,000, appropriated for the conduct of state institutions. Good business men on our Board of Control ought to be able to still further reduce, in future years, the very large sum you will be called upon to appropriate for the support of these institutions.

A Board of Visitors for each institution, to serve without pay, composed of our best and most philanthropic citizens who would visit these institutions and make reports to the Governor for publication; the boards to be modeled after the National Boards of Visitors appointed by the President for the West Point Military Academy and the Naval Academy, at Annapolis, has been proposed by Bishop Barker and has met with favor in distinguished quarters. I heartily commend the suggestion.

I append a tabulated statement showing the very large per capita saving already effected by the State Board of Audit and Control, as compared with expenditures made under a former administration. Regarding the following tabulated statement, showing the aggregate an enormous difference, the claim will be made, as it was during the campaign, that a large amount of maintenance funds was used for permanent improvements during the McGraw administration, and that this has not been the case during the past four years. In relation to this it may be said that the large expenditures for improvements from Maintenance Funds were made during the Ferry administration, when the institutions were being established and greatly enlarged. It is true that a larger amount was expended for permanent improvements during the McGraw administration than during the past three and a half years, at some of the institutions, but not enough to make any marked change in the per capita cost. As an offset for this, however, it must be admitted that the cost of almost all supplies has steadily advanced during the present term, and that practically everything purchased has been at a larger cost than that paid during the four years just preceding.

In the comparison instituted the term of three and a half years is used for the reason that the State Board of

Control has not existed for the full term of four years and expenditures for the last quarter were not fully made up at at the time this exhibit was prepared.

WESTERN WASHINGTON HOSPITAL FOR THE INSANE.

Total maintenance expenditures 4 years ending March 31, 1897	$328,713.77
Total maintenance expenditures 3½ years ending September 30, 1900	279,194.90
Average daily cost per capita 4 years ending March 31, 1897, 471 inmates	.4780
Average daily cost per capita 3½ years ending September 30, 1900, 594.96 inmates	.3673
Daily saving per capita 3½ years ending September 30, 1900	$00.1107
Saving per day on 594.96 inmates	65.8620
Saving 3½ years, or 1,277.5 days	84,138.7969

EASTERN WASHINGTON HOSPITAL FOR THE INSANE.

Total maintenance expenditures 4 years ending March 31, 1897	$201,741.49
Total maintenance expenditures 3½ years ending September 30, 1900	174,258.61
Average daily cost per capita 4 years ending March 31, 1897, 219.1 inmates	.6305
Average daily cost per capita 3½ years ending September 30, 1900, 307.38 inmates	.4438
Daily saving per capita 3½ years ending September 30, 1900	$00.1867
Saving per day on 307.38 inmates	57.3878
Saving for 3½ years, or 1277.5 days	73,312.9732

WASHINGTON STATE PENITENTIARY.

Total maintenance expenditures 4 years ending March 31, 1897	$314,321.92
Total maintenance expenditures 3½ years ending September 30, 1900	191,169.99
Average daily cost per capita 4 years ending March 31, 1897, 423.8 inmates	.5080
Average daily cost per capita 3½ years ending September 30, 1900, 357.2 inmates	.4190
Daily saving per capita 3½ years ending September 30, 1900	$00.0890
Saving per day on 357.2 inmates	31.7908
Saving for 3½ years, or 1277.5 days	40,612.7470

WASHINGTON STATE REFORM SCHOOL.

Total maintenance expenditures 4 years ending March 31, 1897	$91,649.33
Total maintenance expenditures 3½ years ending September 30, 1900	67,798.70
Average daily cost per capita 4 years ending March 31, 1897, 142.8 inmates	.4396
Average daily cost per capita 3½ years ending September 30, 1900, 153.58 inmates	.3456
Daily saving per capita 3½ years ending September 30, 1900	$00.0940
Saving per day on 153.58 inmates	14.43652
Saving for 3½ years, or 1277.5 days	18,442.6543

WASHINGTON SOLDIERS' HOME.

Total maintenance expenditures 4 years ending March 31, 1897	$85,692.89
Total maintenance expenditures 3½ years ending September 30, 1900	86,148.43
Average daily cost per capita 4 years ending March 31, 1897, 106.2 inmates	.5526
Average daily cost per capita 3½ years ending September 30, 1900, 144.5 inmates	.4667
Daily saving per capita 3½ years ending September 30, 1900	$00.0859
Saving per day on 144.5 inmates	12.41255
Saving for 3½ years, or 1277.5 days	15,857.0326

RECAPITULATION.

Western Washington Hospital for the Insane	$84,138.79
Eastern Washington Hospital for the Insane	73,312.97
Washington State Penitentiary	40,612.74
Washington State Reform School	18,442.65
Washington Soldiers' Home	15,857.03
Total	$232,364.18

That the above large sum, in addition to what has been expended, would have been called for under the old management, unprejudiced observers will readily admit. The showing made, however, is in line with what has been accomplished by boards of control in other states.

HALL AT SOLDIERS' HOME.

At the Soldiers' Home, an Assembly Hall should be built in order that the inmates may have a place of sufficient size in which to hold public meetings, hear lectures or engage in public amusements. Without such a place time must hang heavy on the hands of the old veterans there assembled.

U. S. PENITENTIARY.

On the admission of this state into the Union there was donated to it from the United States, the sum of $30,000, for the erection of a State Penitentiary. Some $4,000 of this was expended by a former United States administration in the purchase of 40 acres of land adjoining the penitentiary grounds at Walla Walla, but nothing further was ever done to obtain the use of the balance of this fund. After a great deal of tiresome correspondence with the Department of the Interior at Washington, during the last three years, I have at last been enabled to secure for the State the construction of an additional wing to the State Prison at Walla Walla, at the cost of the United States. Plans have been approved, the contract let by the Interior Department, and the walls are now nearing completion.

A FARM HOSPITAL.

The increasing number of insane at the Hospitals will shortly require additional buildings. I am confident that it will be far better to construct a third Hospital or Asylum, at some central place, where good farming land can be obtained, than to add expensive wings to either the Medical Lake or the Steilacoom Hospitals. To the new location, which might well be in the Yakima Valley, only those who are able to work need be taken. At the two Hospitals now in use there are some hundreds of men who are ca-

pable of performing a good deal of labor. Doubtless it would be vastly better for them to be employed in some healthful outdoor work. Many are thus employed now, but the character of the soil at both Medical Lake and at Steilacoom is not favorable to profitable agriculture. In other states great account is made of the labor of those inmates able to work. This is mostly made use of in agricultural employments.

I suggest, therefore, that it might be a happy solution of this problem for the state to obtain, somewhere in the Yakima valley, a large farm near the railroad, covered by a gravity water system, upon which economical buildings, for the care of able-bodied men patients, and such as could be trusted to work, could be constructed, and where a system of farming might be carried on, embracing a dairy, where could be made the butter and cheese consumed by all the state institutions; a dryer, where could be dried all the fruit used; and a canning establishment, where could be canned all the fruit and vegetables used at all the state institutions. This farm annex should not be under the care of a physician. Some competent business man would render far better service as manager.

Upon the farm could be raised all the vegetables required for canning, as well as the potatoes, etc., which could be used; the feed for the cows, a large proportion of the pork, if not all of it; the fruit to be canned and dried, besides great quantities of fruits and vegetables, to be shipped in carload lots, during the fruit season, to all the various state institutions, which would furnish to the inmates of all these institutions and the help employed, nealthful and desirable food. Besides this, broom corn could be raised which could be shipped to the Reform School, where a broom factory might be established.

Among other savings there would be a saving in the construction of the buildings, as buildings for the class of patients that would be sent to this rural retreat would not need to be so costly as those necessary for the care of the hopelessly insane. But, for this purpose, rich farming lands are needed. The state has already had too many barren and unsuitable tracts "unloaded" upon its taxpayers.

OCCUPATION FOR INMATES OF THE REFORM SCHOOL.

At the State Reform School, at Chehalis, are about 125 boys and about 40 girls, mostly strong and lusty. Something should be done at once to furnish these boys and girls with useful occupation. I cannot, at this time, suggest anything better than a broom factory; but something along this line should be done at once. Properly handled, these inmates could be made to pay their way and it would be a god-send to them personally, and of great assistance to their future well being, if they were made to do it. If this legislature authorizes me to appoint such a Board of Control as I have suggested, I can assure you that this matter will be attended to.

THE RAILWAY QUESTION.

What is known with us as the railway question is simply one phase of the greatest question of modern times; the question of the exchange among men of the products of labor, whether of hand or brain. It lies at the very base of civilization itself. If we view that condition of society in which each man hunts his own food, makes his own weapons and builds his own habitation, we are at once aware that barbarism must prevail. Civilization, according to Adam Smith, the founder of political economy, begins with the division of labor. Men devote their energies

to specialized products. Instantly this is done, exchange becomes a most vital and necessary matter. To civilized man it is the question of existence. In the past we can see that the advance of nations has kept pace with their ability to exchange ideas, services and products. Where this has been comparatively free they have gone forward. Where it has not, progress has been prevented and man hindered in his work of subduing for himself all the forces of nature, which is the ultimate goal of existence upon this earth. Whatever assists in this is in the interest of man and aids in the progress of the race. Whatever retards or hampers it is a hindrance to man's upward course. And, we are able to see that all the great inventions, which, like gifts from above, have lifted man from the darkness of the past, have all, without exception, operated in one way and only one. They have enabled men more freely to exchange each with the other. Today, all the wonders of steam and electricity follow in the same line as so many direct and powerful aids in the exchange among men of the products of labor. A thousand years ago our fathers in England, France and Germany, were mere slaves of the soil, forbidden to leave the land upon which they were born. They could not travel or exchange with others the products of their labor. The establishment of "The King's Highway" was the first step in rolling away the night of "The Dark Ages." Men began to be able to exchange. But they were not yet free. Tribute was demanded. And then, as now, and always, he who pays tribute is never entirely free.

To-day our King's Highway is the iron rail. The use of steam in the transportation of men and the products of mind and muscle has done as much to advance the race as did the institution of the public highway so many centuries ago. Man has gone forward. Civilization has advanced,

but men are not yet free. Tribute is still demanded. The Barons of today live and fatten, as did their progenitors of an earlier time, by the exaction of tribute upon exchange. It is ours to deliberate upon the situation as it confronts us at this hour.

No member of this legislature desires to do an unjust act. Railway companies are creations of law. They are possessed of certain legal rights. These must be respected. But the railway companies should also be made to respect the rights of the citizen. Freight charges are onerous, and, in some cases, unjust. Both political parties are on record, and have promised to reduce these rates. Former legislatures have so far failed to perform solemn promises in this regard. Will this body likewise fail? Or, will it attempt to keep the promise to the public ear while it breaks it to the heart by the passage of a specious and deceptive act intended for the time to fool the voters? The people cannot be long deceived.

There is but one way in which this matter can be successfully handled. It is by the creation of a properly constituted Railway Commission. It should consist of three competent, just and qualified men. No more than two of these should belong to the same political party. It should be a non-partisan body. They should be appointed by the Governor, and be removable at will. To them should be committed the power to make rates and to enforce them, subject to appeal to the courts. Just, honorable and careful men, constituting a Board of Railway Commissioners, will be able to give that careful attention to the matter in hand which will result, as it has in other states, in removing all cause of complaint, either on the part of the people or the railways. During the short time in which the legislature is in session, it is impossible for it to formulate a

rate law which cannot be overthrown by the courts almost in the twinkling of an eye. If the Commission makes a mistake in ruling it can make a new rule at once. The legislature meets but once in two years. Two-thirds of the states have Railway Commissions. Some are of value, others are not. Perhaps I should say that most railway commissions are practicably inoperative or of little worth.

Two points are essential to the existence of an effective railway commission. First: It must have sufficient power granted to it by legislative authority. It must not be emasculated and then asked to perform the work of men. Secondly: It must be removable at will, without the farce of a trial. Obviously, no removal would take place as the result of a trial. It must not feel itself too secure in its tenure of office. Then relief can be obtained. I hope that this legislature will not insult the intelligence of the people of this state by attempting to add to the already too large number in other states, of incompetent or ineffective railway commissions. The men who compose this commission must give their whole time and attention to the business intrusted to their hands. And they must be capable and efficient men to be successful, even then, in the arduous task which will fall to their share. Such men can earn good salaries, and would be entitled to them. Better a thousand times to have no commission, and no law upon the subject, than to be taxed for the support of a body of men unable, or unwilling, to do the work assigned them.

Three courses are open to the Legislature of Washington in this matter, and but three. First: It can pass an effective law, containing the essential provisions pointed out. Secondly: It can attempt to deceive, by the passage of a bill for the creation of a commission, which it is known

beforehand will be unable, or unwilling, to do the work which the people demand. Thirdly: It can do as other bodies convened in these chambers have done before: Acknowledge itself unfaithful by doing nothing. We shall see what it will do.

FREE PASSES.

I renew the recommendation made to the legislatures of 1897 and 1899, regarding the giving and acceptance of free passes by transportation companies. It was then said:

"Section 39, of Article 2 of the State Constitution, stipulates that: 'It shall not be lawful for any person holding public office in this state to accept or use a pass, or to purchase transportation from any railroad, or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.' Section 20, of Article 12, of the Constitution provides as follows:

"No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding public office in this state. The legislature shall pass laws to carry this provision into effect.

"The legislature has never passed the necessary laws to enforce the provisions of the constitution, and hence they have been practically inoperative. No time should be lost in providing by law that corporations issuing free passes and officials accepting them shall be properly punished."

THE NATIONAL GUARD.

A properly organized military force, for use in case of last resort, is essential to the preservation of public order and must always be at hand even though never used. The National Guard of Washington, in the late war with Spain, showed itself composed of valiant men who deserved well of the state. Since the sending out of the state of the First Washington Volunteers, a new National Guard has been created. We have now one full regiment of infantry, consisting of three battalions of four companies each. This

regiment, under Colonel Weisenburger, is fully organized and is an effective force. In addition, we have two companies of infantry, unattached; one battery without guns, drilling as infantry, and one troop of cavalry.

The military code of this state should be amended and the present force somewhat reduced in size and made to consist of one regiment of infantry, one troop of cavalry and one battery of artillery, to be stationed at Seattle. We have no need of a Brigade organization, nor of a separate medical department. The medical officers should be a part of the regimental organization. Not a larger, but a better organized and equipped force, should be our aim. I renew the recommendation made two years ago, that the salary of the Adjutant General be raised to $2,000. That the Guard be brought up to a previously unattained state of discipline and efficiency, much hard work needs to be done by the Adjutant General's department, and that a competent man may be retained in this office it becomes necessary to pay a good salary. Four years ago there was a debt of $98,429.61 in military fund warrants, which stood against this department. At the present time there is a surplus of $28,529.52 in this fund.

At the time of the organization of the First Washington Volunteers, U. S. Army, a number of men volunteered for service in the U. S. Army, who were not accepted by the U. S. Surgeon. These men were not called for by the state, or by its Governor. Members of the National Guard were simply given permission by the Governor to enlist in the U. S. Army. When they went on board the cars at home they were under the care and control, and at the cost, of the U. S. Government. They were never ordered out by the Governor in state service. The state had no need of their services. Some hardship, in individual

instances, was experienced by those who failed to pass the Surgeon; and, although these men have no legal claim upon the state, I recommend that those who volunteered and were rejected, and can prove attendance by company officers, be paid a reasonable compensation for time lost. Transportation and subsistence was paid by the U. S. Government.

MINING CORPORATIONS.

The laws regulating the formation of companies organized for mining purposes should be so amended as to provide for the publication of reports from each company showing its condition and prospects. It ought not to be possible for swindlers to organize, under the laws of this state, for the express purpose of defrauding an unsuspecting public. Publicity is a remedy for much evil of this character.

PAROLE LAW.

The legislature of 1899 enacted what is known as "The Parole Law," which has been found well adapted to the purpose had in view, to-wit: Aiding and assisting convicts in the penitentiary, who do not belong to the criminal classes, and who may give promise of restoration to good citizenship. Much discussion has been had in the public press relating to penology and the management of criminals. I am convinced that our law, which was modeled largely after that of Michigan; is a step in the right direction. It provides for substantially the English "Ticket-of-leave" system, which has been found to work well in actual practice. During the last two years the law has been cautiously administered and sixteen criminals liberated on parole. In all these cases, with two exceptions, the law was found to serve an admirable purpose. One attempted to escape and was remanded to serve out his full

term, all good time allowances being taken away. One escaped out of the state, leaving, it is thought, upon a foreign-bound vessel, from the harbor of Seattle. He had served ten full years, his original sentence being for twenty years. Substantially, those paroled are in the position of "trusties" outside prison walls, subject to instant apprehension and imprisonment for infraction of rules, which are herewith appended. The law, as it now stands, should be amended as follows: After the word "murder," in the first section, should be added the words, "In the first degree."

GOVERNOR'S RULES FOR THE PAROLE OF PRISONERS.

1. It will be the duty of the Warden of the State Penitentiary to make selections from inmates of the Penitentiary whom he deems proper subjects for parole. Before recommending such parole he shall ascertain as much of the character and history of each convict, previous to his conviction, as possible; and such other information as may be deemed necessary to determine the propriety of issuing a parole.

2. Before any convict is paroled employment must be procured for him at some legitimate industry, and some person must agree to act as his first friend and adviser. His proposed friend must be a reputable citizen of the State, whose ability to supervise the conduct of the convict while on parole shall be certified to by some person of good standing known to the Governor. Such first friend shall agree to employ him, aid him in securing employment, or take a friendly interest in him while engaged in an occupation or business of his own, and shall agree to report any absence from work, or tendency to evil associations, and to certify to the monthly report required of the convict.

3. It shall be the duty of the Warden of the State Penitentiary to submit the name of any person who offers to act as a first friend for a convict, to the sheriff or clerk of the county where such person resides, asking his opinion as to his being a proper person for such trust.

4. The Warden of the State Penitentiary shall forward his recommendation to the Governor on the 15th of each month. Each recommendation shall be separate and shall include all information and papers connected with the application.

5. The employment of attorneys, by prisoners, will be discouraged; but communication by letter, of friends giving information

will be received and given such consideration as they are entitled to.

6. No prisoner can be paroled until he has served one full year of the term for which he was sentenced.

7. No prisoner can be paroled who has served a previous term in the State Penitentiary, or in any other prison or penitentiary.

8. No prisoner will be paroled who has violated any of the prison rules during the year preceding his application for parole.

9. No prisoner can be paroled who is not recommended by the Warden of the State Penitentiary.

10. Paroled prisoners must provide transportation to the place of their employment.

11. No prisoner under parole will be permitted to leave the State of Washington until his final discharge.

12. No prisoner will be paroled until the Governor is satisfied that he will conform to the rules and regulations governing the conduct of paroled prisoners.

13. Every paroled prisoner shall be liable to be retaken and again confined within the enclosure of the prison for any reason that shall be satisfactory to the Governor, and at his sole discretion, until he receives his final discharge through the Warden.

14. Paroles will be granted only in those instances where, in the opinion of the Governor, the past history of the convict, the active interest promised by friends concerned in his reformation, and for like considerations, the case presented seems a proper one for executive consideration.

15. The Governor has, under the law, power to make all needed rules and regulations governing the conduct of paroled prisoners.

16. The Warden of the State Penitentiary shall keep watch over all paroled prisoners and report to the Governor any case which requires return to the penitentiary.

RULES AND REGULATIONS GOVERNING THE CONDUCT OF PRISONERS ON PAROLE.

Rule 1. The paroled prisoner shall proceed at once to the place of employment provided for him and there remain.

Rule 2. In case he finds it necessary to change his employment or residence, he shall first obtain written consent of the Governor through the Warden of the Penitentiary.

Rule 3. He shall, on the first day of each month, until his final discharge, transmit to the Warden of the State Penitentiary, a report of himself, stating whether he has been constantly at work during the preceding month, and if not, why not. How much he has earned and how much he has expended, together with a general statement as to his surroundings and prospects, which report

must be endorsed by his employer or some other suitable citizen designated by the Governor.

Rule 4. He shall in all respects conduct himself honestly, avoid evil associations, the use of intoxicating liquors, and in general pursue the course of a law-abiding citizen.

Rule 5. As soon as possible after reaching his destination, he shall report to his employer, showing his parole and at once enter upon the employment provided for him.

Rule 6. He shall, while on parole, remain in the legal custody and under the control of the Governor of the State.

Rule 7. A convict on parole, will receive the benefit of "good time" and suffer the same forfeitures, under the statute, as if he were within the prison inclosure.

Rule 8. If he fails to report to the Warden on the first of each month, or is guilty of doing any act prohibited by these rules, he will be subject to return to the prison.

Rule 9. If he fails to return to the prison enclosure, when required by the Governor to do so, or if he makes his escape while on parole, he will be treated in all respects as an escaped convict.

Rule 10. No paroled prisoner need fear or hesitate to freely communicate with the Warden of the prison from which he was paroled in case he becomes unable to labor by reason of sickness, or otherwise.

STATE CAPITOL.

The question of the erection of a State Capitol is again to be presented to the legislature. On this, it may be said, without contradiction from any source, that if the state possessed the necessary funds with which a suitable building could be constructed, no question would arise among members regarding the urgency and the necessity of such action as would result in the early completion of a building to be devoted to state purposes. But, the state does not possess these funds. It has no moneys not called for in the payment of obligations previously entered into. It is in honor bound to liquidate its indebtedness. This indebtedness is even now far in excess of the $400,000, which is our legal limit. This excess is really an unauthorized and an illegal liability which former legislators have imposed upon the rate-payers. But while technically illegal every

patriotic Washingtonian desires it paid to the last farthing. A moral responsibility rests upon us which with our people is as binding as a legal one. Interest upon this debt must also be paid. And, although interest payments have, for the time, been largely reduced, it certainly is incumbent upon us to proceed with extreme caution in the creation of additional illegal indebtedness which must some day be paid to the last dollar. The demands to be made upon this body for appropriations for absolutely necessary purposes, which cannot be put off or denied, will be enormous. These engagements previously entered into will call for greater sums than have ever been appropriated in this state. Absolutely necessary appropriations must be made; they cannot be refused.

The state has from the general government a grant of 132,000 acres of wild lands, donated for the purpose of aiding in the erection of public buildings at the state capital. But this donation is unproductive. It is agreed that these lands cannot now be sold. Regarding their future value a great difference of opinion prevails. Much of this land, in eastern Washington, is practically valueless. Some timber land in western Washington is said to be valuable. It lies, however, for the most part, in, at present, inaccessible locations. The largest amount is found within the Olympic Reserve, in the foothills of the Olympic mountains. The timber could only be obtained with great difficulty, which reduces its present value to a nullity. As the matter now stands, the state can only build by the creation of a debt, the interest upon which, at least, must be paid by the taxpayers, from year to year. Eight years ago, when the value of real property in Washington was at least twice that of today, an attempt was made to build a costly and ornate state capitol. An appropriation was made from